

URGENT ACTION

PAPUAN ACTIVISTS DETAINED AND CHARGED

Seven Papuan political activists have been detained as a result of their peaceful political activities. They have been charged with ‘incitement’ and could face up to six years’ imprisonment. Three of the men have reported being beaten and burnt with cigarettes while in detention.

On 20 May 2015, four political activists from the West Papua National Committee (KNPB), **Nopinus Humawak** (also known as Narko Murib), **Alex Nekenem**, **Maikel Asso** and **Yoram Magai** were arrested with around 70 others at a peaceful rally in Manokwari, West Papua province. The protest was in support of a peaceful Papuan pro-independence umbrella group, the United Liberation Movement for West Papua (ULMWP). According to witnesses, dozens of protesters were beaten by police with rifle butts during the rally. While the majority of the protesters were subsequently released, the four men were charged with “incitement” under Article 160 of Indonesia’s Criminal Code and could face up to six years’ imprisonment. On 14 June, Nopinus Humawak reportedly escaped from detention. The three other men told their lawyers that they had been beaten by at least four police personnel while in detention and burnt with cigarettes. They are currently being held at the police mobile brigade (Brimob) detention centre in Manokwari.

In another incident in Biak, Papua province, activists **Apolos Sroyer** and **Dorteus Bonsapia** were detained on 20 May when they visited the police station to inform them of a planned protest in support of ULMWP. Police held them overnight at the station for questioning and on the following day they were charged with “incitement”. A third political activist from Biak, **Wamoka Yudas Kossay**, was also charged with “incitement” on 22 May, after he took part in a peaceful protest in support of ULMWP at the Darfuar market the day before. He was not provided a lawyer during his interrogation.

Please write immediately in English, Bahasa or your own language:

- Urging the authorities to immediately and unconditionally release Alex Nekenem, Maikel Asso, Yoram Magai, Nopinus Humawak, Apolos Sroyer, Dorteus Bonsapia and Wamoka Yudas Kossay, as they have been arrested solely for the peaceful exercise of their right to freedom of expression;
- Calling on them to ensure that pending their release, the seven men are not tortured or otherwise ill-treated and have regular access to their families, lawyers of their choice and any medical treatment that they require.

PLEASE SEND APPEALS BEFORE 4 AUGUST 2015 TO:

Papua Regional Head of Police

Yotje Mende
Jl. Samratulangi No. 8 Jayapura,
Papua,
Indonesia
Fax: +62 967 533763

Salutation: Dear Brigadier General

Director General for Human Rights

Aidir Amin Daud
Ministry of Law and Human Rights
Jl. H.R. Rasuna Said Kav No. 4-5
Kuningan, Jakarta Selatan 12950,
Indonesia
Fax: +62 215 253095

Twitter: @Humas_Kumham

Salutation: Dear Aidir Amin Daud

And copies to:

Chairperson of the National Human Rights Commission (Komnas HAM)

Nur Kholis
Jl Latuharhary
No.4 Menteng Jakarta Pusat
10310,
Indonesia
Fax: +62 213 912026
Email: pengaduan@konnasham.go.id

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



URGENT ACTION

PAPUAN ACTIVISTS DETAINED AND CHARGED

ADDITIONAL INFORMATION

Indonesia enshrines guarantees to freedom of expression and peaceful assembly in its Constitution and national legislation. But legislation continues to be used to criminalize peaceful political activities and to imprison people solely for the peaceful exercise of their rights to freedom of expression and opinion, peaceful assembly conscience and religion.

Dozens of peaceful political activists are currently imprisoned in the Papuan region (provinces of Papua and West Papua), some sentenced to as long as 20 years' imprisonment, for attending, organizing or participating in peaceful political activities or protests, or possessing, raising or waving the prohibited pro-independence 'Morning Star' flag of Papua. Many of those arrested are charged with "rebellion" (*makar*) under Articles 106 and 110 (crimes against the security of the state) of Indonesia's Criminal Code.

Amnesty International has also documented the use of excessive force and firearms as well as torture and other ill-treatment against political activists and others accused of links to pro-independence groups. Accountability for such acts is rare, and at most security personnel receive disciplinary sanctions.

Amnesty International takes no position whatsoever on the political status of any province of Indonesia, including calls for independence. However, the organization believes that the right to freedom of expression includes the right to peacefully advocate referendums, independence or other political solutions.

One of the reasons why cases of torture and other ill-treatment continue to occur in Indonesia is the failure to revise Indonesia's Criminal Code, to criminalize acts of torture. In 2008, the UN Committee against Torture called on the Indonesian government to revise the Criminal Code to incorporate the crime of torture consistent with the definition in Article 1.1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and to ensure that all acts of torture are punishable by appropriate penalties which take into account their grave nature. The Criminal Code has been under revision for about three decades. The Ministry of Law and Human Rights submitted a new draft of the Criminal Code to parliament in June 2015 for deliberation in August.

Name: Alex Nekenem, Maikel Asso, Yoram Magai, Nopinus Humawak, Apolos Sroyer, Dorteus Bonsapia, Wamoka Yudas Kossay
Gender m/f: All male

UA: 139/15 Index: ASA 21/1932/2015 Issue Date: 23 June 2015